

HOUSE BILL No. 2060

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-37.

Synopsis: Inspection of death records. Requires a local health officer to include, as part of the officer's monthly report to the state department of health, a copy of the permanent record made of each death and stillbirth. Requires the state department of health to make the permanent record available for public inspection and copying.

Effective: July 1, 1999.

Behning

January 27, 1999, read first time and referred to Committee on Rules and Legislative Procedures.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 2060

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-37-1-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. The report of the
3 local health officer must contain the following:

4 (1) The original copy of each certificate of birth, death, or
5 stillbirth.

6 **(2) A copy of the permanent record made of each death or**
7 **stillbirth under IC 16-37-3-9.**

8 ~~(2)~~ **(3)** A certification that no other births, deaths, or stillbirths
9 occurred within the jurisdiction to the best of the health officer's
10 knowledge and belief.

11 ~~(3)~~ **(4)** A copy of each paternity affidavit filed with the health
12 officer under IC 16-37-2-2.1.

13 ~~(4)~~ **(5)** Any other information required by the state department.

14 SECTION 2. IC 16-37-1-10 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) Except as
16 provided in subsection (b), the records and files of the division of the
17 state department concerning vital statistics are subject to this article



and rules of the state department. **Except as provided in subsection (c),** data contained in the records and files may be disclosed only as follows:

(1) The state registrar shall permit inspection of the records or issue a certified copy of a certificate or part of a certificate only if the state registrar is satisfied of the following:

(A) That the applicant has a direct interest in the matter recorded.

(B) That the information is necessary for the determination of personal or property rights or for compliance with state or federal law.

The state registrar's decision is subject to review by the state department or a court under this section.

(2) The state department may permit the use of data contained in vital statistical records for research purposes only, but no identifying use may be made of the data.

(3) In any extraordinary case that the state registrar determines is a direct tangible and legitimate public interest.

~~IC 16-37-3-9~~

(b) The birth record of an adopted child remains subject to the confidentiality provisions of IC 31-19 regarding the release of adoption information.

(c) The state registrar shall make available for public inspection and copying the permanent record of each death or stillbirth made under IC 16-37-3-9 and received by the state department under section 6 of this chapter.

SECTION 3. IC 16-37-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) The local health officer shall, from the stillbirth and death certificates, make a permanent record of the:

(1) name;

(2) sex;

(3) age;

(4) place of death;

(5) residence; and

(6) for a death certificate only, residence addresses of the deceased during the two (2) years before the death;

of the deceased.

(b) The local health officer shall include a copy of the permanent record made of each deceased under subsection (a) in the officer's monthly report to the state department under IC 16-37-1-6.

~~(b)~~ (c) The records shall be open to public inspection.



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1 ~~(c)~~ (d) The local health officer shall, not later than January 31, April
2 30, July 31, and October 31 of each year, furnish to the county auditor
3 the records of all deaths within the officer's jurisdiction that occurred
4 during the previous three (3) months.

5 ~~(d)~~ (e) The local health officer may make records of other data in
6 connection with deaths for statistical purposes or for the purpose of
7 planning health programs. Records under this subsection are not public
8 records.

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